

**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, September 6, 2018, 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> Floor**

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIENCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD** *(Procedures are attached)*  
**Please sign up on the Public Comment Sign In sheet near the door**

**II. APPROVAL OF CONSENT AGENDA**

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of August 2, 2018
- C. Consideration of Abstentions

**III. PUBLIC HEARINGS**

**1. Request for Extension of Extraterritorial Jurisdiction– Theresa Thompson**

The Village of Pinehurst is requesting to extend the extraterritorial jurisdiction (ETJ). Village of Pinehurst staff will present request.

**IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger**

- 1. Board of Commissioners Special Meeting-Planning staff will present to the Board of Commissioners options regarding the Subdivision Approval and Conditional Use Permit Process.
- 2. Moore County Comprehensive Transportation Plan (CTP)

**V. BOARD COMMENT PERIOD - Chairman Nobles**

**VII. UPCOMING EVENTS**

- Tuesday, September 11, 2018 2:00 PM Subdivision Review Board Meeting to be held at the Public Works Conference Room in Carthage
- Wednesday, September 12, 2018 10:00AM Board of Commissioners Special Meeting to be held at the Rick Rhyne Public Safety Center
- Tuesday, September 18, 2018 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, October 4, 2018 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

**VIII ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

## **PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.*

## **MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*

**MINUTES**  
**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, AUGUST 2, 2018 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Joe Garrison (Vice Chair), Harry Huberth, David Lambert, Jeffery Gilbert, Bobby Hyman, John Cook

**Board Members Absent:** Matthew Bradley, John Matthews, Eddie Nobles (Chair)

**Staff Present:** Debra Ensminger, Planning Director  
Tron Ross, County Attorney  
Theresa Thompson, Senior Planner  
Darya Cowick, Planner  
Stephanie Cormack, Administrative Officer

**CALL TO ORDER**

Vice Chair Joe Garrison called the meeting to order at 6:00 pm.

**INVOCATION**

Board Member David Lambert offered the invocation.

**PLEDGE OF ALLEGIANCE**

Board Member Bobby Hyman led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Board Member Harry Huberth read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of July 5, 2018
- C. Consideration of Abstentions

Board Member Harry Huberth made a motion to approve the consent agenda. The motion was seconded by Board Member Bobby Hyman and the motion passed unanimously (6-0).

## **PUBLIC HEARING**

**Public Hearing #1** – Conditional Use Permit Request: School located on the same lot as a church (1305 Hulsey Rd.)

Planner Darya Cowick presented to the Board a request for a Conditional Use Permit for a school located on the same lot as a church located at 1305 Hulsey Rd. Carthage, further described as New Covenant Fellowship Church, owned by new Covenant Fellowship of Carthage, NC per Deed Book 3787, page 591.

In addition to the staff report background Mrs. Cowick provided the board with background history explaining in April this item was brought to the Planning Board as a request for a General Use Rezoning to allow a school to be brought onto the property. In May this item was taken to the Board of Commissioners and was not approved and recommended staff to provide a Text Amendment to allow schools to be on the same lot as a church as a Conditional use Permit. This item was brought to the Planning Board in June and approved by the Board of Commissioners in July.

Mrs. Cowick went over the items within the packet pointing out the land use map and adjacent land uses. Ms. Cowick also pointed out the site plan as presented in the packet pointing out the proposed school buildings and vegetative buffers and set back requirements as indicated in the UDO.

Vice Chair Garrison opened the public hearing calling upon the applicant Lee McKinney asking if he had anything to add to the request. Mr. McKinney had no additional comments.

Board Member Lambert inquired how the traffic would be impacted in the area as there are two existing schools in close proximity, New Century Middle and Union Pines High School.

Mr. McKinney explained that the driveway will be off of Hulsey Rd and not Union Church Rd so traffic would not affect that area.

Board Member asked staff for clarification of the exact location of the project in conjunction with the site plan & pictures provided in the packet.

Mrs. Cowick provided the board with location clarification and explained that all commercial projects require a driveway permit form NCDOT and if NCDOT recommended improvements to the area like relocation of the driveway NCDOT would let the applicants know.

Vice Chair Garrison closed the public hearing.

With no further discussion Board Member David Lambert made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Use permit for

a school located on the same lot as a church located at 1305 Hulsey Rd., Carthage, owned by New Covenant Fellowship of Carthage, NC per Deed Book 3787, page 591. The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 6-0.

**Public Hearing #2-**Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

- Amend Chapter 4 (Zoning Permit), Section 4.2 (Application), Subsection 4.2(A) (Pre-Application)
- Amend Chapter 4 (Zoning Permit), Section 4.3 (Action by the Administrator)
- Amend Chapter 4 (Zoning Permit), Section 4.4 (Zoning Decision Sign)
- Amend Chapter 7 (General Development Standards), Section 7.6 (Developments with Multiple Principal Uses)
- Amend Chapter 7 (General Development Standards), Section 7.11 (non-Residential Screening), Subsection A (Applicability)
- Amend Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection D (Screening Types)
- Amend Chapter 8 (Specific-Use Standards), Section 8.6 (Accessory Manufactured Home), Subsection B (Standards)
- Amend Chapter 8 (Specific-Use Standards), Section 8.13 (Manufactured Home), Subsection C (Prohibited)
- Amend Chapter 8 (Specific-Use Standards), Section 8.18 (Multifamily Dwellings), Subsection C (Setbacks)
- Amend Chapter 8 (Specific-Use Standards), Section 8.92 (Amateur Radio and Receive-only Antenna), Subsection C (Supplemental)
- Amend Chapter 8 (Specific-Use Standards), Section 8.100 (Mini-Warehouse), Subsection B (Standards)
- Amend Chapter 10 (Text Amendments & General Use Rezoning), Section 10.2 (Application Process), Subsection A (Submittal)
- Amend Chapter 10 (Text Amendments & General Use Rezoning), Section 10.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification)
- Amend Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection A (Submittal)
- Amend Chapter 11 (Conditional Rezoning), Section 11.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification)
- Amend Chapter 11 (Conditional Use Permits), Section 12.2 (Application Process), Subsection A (Submittal)
- Amend Chapter 18 (Subdivisions), Section 18.6 (Preliminary Plat Submittal and Review), Subsection B (Subdivision Review Approval Steps)
- Amend Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection F (NCDOT Approval)
- Amend Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection H (Traffic Signs and Control)

- Amend Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection S (Cluster Mailboxes)
- Amend Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection E (Marginal Access Streets)
- Amend Chapter 18 (Subdivisions), Section 18.8 (Conservation Design Standards), Subsection C (Dimensional Requirements)
- Amend Chapter 18 (Subdivisions), Section 18.8 (Conservation Design Standards), Subsection I (Subdivision Decision Sign)
- Amend Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements)
- Amend Chapter 18 (Subdivisions), Section 18.16 (Subdivision Plat Requirements)
- Amend Chapter 19 (Definitions), Section 19.2 (Definitions)
  - Lot Line, Front
  - Setback
- Add Chapter 19 (Definitions), Section 19.2 (Definitions)
  - Street, Arterial
  - Street, Marginal Access

Senior Planner Theresa Thompson presented to the board the requested changes staff has recommended and reasons of changes as outlined within the staff report presented in the agenda packet.

Minor discussion was held by the board for further clarification regarding Chapter 8 (Specific-Use Standards), Section 8.13 (Manufactured Home), Subsection C (Prohibited) Ms. Ensminger explained this information was based on the NC State Building Code requirements regarding personal or commercial use vs. storage use.

Further clarification regarding Chapter 18 (Subdivisions), Section 18.7 (minimum Design Standards), Subsection E (Marginal Access Streets) was request by Board Member Gilbert. Mrs. Thompson explained this was to accommodate mostly homes that are on an arterial street.

With no further comments Vice Chair opened the public hearing. With no further comments or speakers Vice Chair Garrison closed the public hearing for Board discussion. With no further discussion Board Member Hyman made a motion to adopt the Moore County Planning Board Land Use Plan Consistency Statement for approval and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Harry Huberth; the motion passed unanimously 6-0.

Board Member Bobby Human made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance. The motion was seconded by Board Member John Cook; the motion passed unanimously 6-0.

## **PLANNING DEPARTMENT REPORTS**

Ms. Ensminger informed the Board staff has received the application requesting the ETJ expansion from Pinehurst which will come before the Planning Board on September 6<sup>th</sup>.

## **BOARD COMMENT PERIOD**

Mr. Gilbert asked if a member was absent during a meeting could that board member be allowed to call in during the meeting.

Ms. Ensminger confirmed staff would be able to call in during the scheduled meeting if they were not able to attend.

## **ADJOURNMENT**

Board Member Bobby Hyman made a motion to adjourn the August 2, 2018 regular meeting. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously 6-0.

Respectfully submitted by,

Stephanie Cormack



**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Enslinger  
Planning & Transportation Services Director

**DATE:** August 15, 2018

**SUBJECT:** Request for Extension of Extraterritorial Jurisdiction

**PRESENTER:** Theresa Thompson

**REQUEST**

The Village of Pinehurst is requesting to extend the extraterritorial jurisdiction (ETJ). The Village of Pinehurst staff will present this request.

**BACKGROUND**

- Municipalities received the right to apply all land use development ordinances (zoning and subdivision) to the area immediately outside their city limits in 1959. This area is called a municipality's extraterritorial jurisdiction (ETJ).

**STAFF REVIEW**

- The total acreage of the parcels included in the request is 4850.12 acres.
- There are a total number of 721 parcels included in the request.
- The following zoning districts are represented in the requested area – RA (Rural Agricultural), RA-20 (Residential and Agricultural-20), RA-40 (Residential and Agricultural-40), RA-2 (Residential and Agricultural-2), RA-5 (Residential and Agricultural-5), B-2 (Highway Commercial), R-MH (Mobile Home District), and PUD-H (Planned Unit Development-Hamlet).
- With the approval of this request the enforcement of building, zoning, and subdivision will be administered by the Village of Pinehurst.

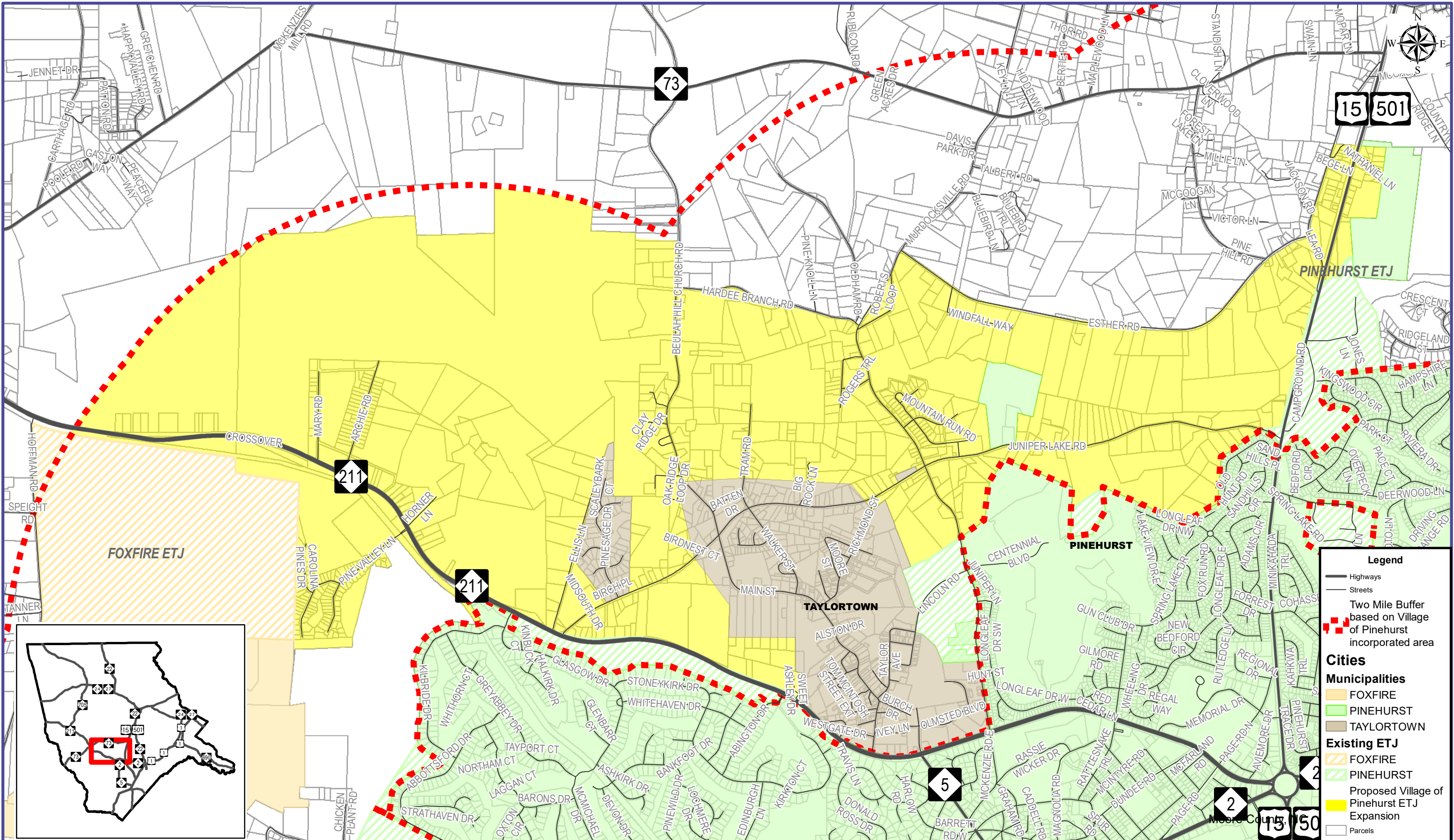
**STAFF RECOMMENDATION**

Staff recommends the Moore County Planning Board make the following motion:

**Motion:** Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the request for expansion of extraterritorial jurisdiction by the Village of Pinehurst.

**ATTACHMENTS**

Pinehurst ETJ Proposed Extension Map  
Submitted Extra-Territorial Jurisdiction (ETJ) Expansion Application  
Resolution to Extend the Extraterritorial Jurisdiction of the Village of Pinehurst







HISTORY, CHARM, AND SOUTHERN HOSPITALITY\_\_\_\_\_

August 1, 2018

RECEIVED  
8/1/18  
*Chasam Thompson*

Ms. Catherine Graham, Chair Moore Co. Board of Commissioners  
P.O. Box 1262  
Carthage, NC 28327

RE: Request to Extend the Village of Pinehurst Extraterritorial Jurisdiction (ETJ)

Dear Chair Graham,

The Village of Pinehurst requests approval from the Moore County Board of Commissioners for an extension of the Village's extraterritorial planning jurisdiction (ETJ). As the largest incorporated municipality in Moore County, Pinehurst's population has grown from 1,746 at incorporation in 1980 to nearly 17,000 today. The last ETJ extension granted to the Village of Pinehurst by Moore County was in 1986. Since then, the Village has annexed property into the Village limits, but has not subsequently extended the ETJ.

Requiring future growth near Pinehurst municipal borders to be developed according to the Village's land use regulations should result in increased property values as a result of development that is more consistent with the character of Pinehurst. With additional ETJ authority, the Village can help ensure development patterns in areas near the corporate limits are consistent with development patterns occurring inside the municipal limits and minimize potential negative impacts. In addition, ETJ expansion could also help ensure more efficient delivery of local government services in the long term.

Attached for you is Resolution 18-16, adopted by the Village Council on July 24, 2018, formally requesting an extension of our ETJ, a report to illustrate our findings and consistency with approved plans, and other supporting documentation for our ETJ expansion application. Should the Board of Commissioners or county staff have questions concerning our ETJ expansion application, please contact Will Deaton, our Planning and Inspections Director, at 295-8658.

We look forward to working with Moore County on this very important planning endeavor. Thank you for your consideration and cooperation.

Sincerely,

*Nancy Fiorillo*

Nancy Fiorillo, Mayor  
Village of Pinehurst, NC

c.c. Moore Co. Commissioners Mr. Louis Gregory, Mr. Frank Quis, Mr. Otis Ritter, & Mr. Jerry Daeke; Moore Co. Manager Mr. Wayne Vest

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ADMINISTRATION

395 Magnolia Road • Pinehurst, NC 28374 • Telephone (910) 295-1900 • Fax (910) 295-4434 • [www.vopnc.org](http://www.vopnc.org)



## PLANNING & TRANSPORTATION



P.O. BOX 905  
1048 Carriage Oaks Drive  
Cathage, NC 28327  
Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389  
Fax: (910) 947-1303

### Extra-Territorial Jurisdiction (ETJ) Expansion Application

Application Date: July 24, 2018

Applicant: Village of Pinehurst

Phone: 910.295.8658

Applicant Address: 395 Magnolia Road

City: Pinehurst

St: NC

Zip: 28374

#### The following information must be submitted with all ETJ applications:

- ☐ Request by the municipality for the proposed ETJ expansion
- ☐ Map depicting the proposed ETJ expansion with parcels
- ☐ Municipal approval of the proposed ETJ expansion

#### Administrative Review

Once determined to be complete, a staff report is prepared and submitted, with the application, to the Planning Board for review and recommendation to the Board of Commissioners. Adjacent landowners are notified by mail or published notice.



#### Planning Board

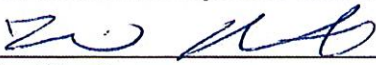
The Planning Board holds a public hearing & makes recommendation regarding the application to the Board of Commissioners. A staff report & application is then submitted to the Board of Commissioners. Adjacent landowners are notified by mail or published notice.

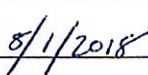


#### Board of Commissioners


The Board of Commissioners holds a "Call to" Public Hearing at one meeting and then holds a Public Hearing at a subsequent meeting. More than one public hearing may be required to accommodate public input.

I, the undersigned, certify that all statements furnished in this application are true to the best of my knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Planning and Zoning Administrator.

  
Applicant Signature

  
Date

Office Use Only:

Received By:   
Date: 



**STATE OF NORTH CAROLINA  
OFFICE OF STATE BUDGET AND MANAGEMENT**

**ROY COOPER**  
GOVERNOR

**CHARLES PERUSSE**  
STATE BUDGET DIRECTOR

August 28, 2017

**MEMORANDUM**

**TO: Municipal Official**

**FROM: Michael E. Cline, PhD**  
State Demographer  
Office of State Budget and Management

**SUBJECT: Preliminary 2016 Municipal Population Estimates**

The purpose of this memo is to give you a chance to preview the Certified Estimate of the July 1, 2016 permanent resident population of your municipality. This estimate is used for the purpose of distributing state-shared revenues to municipalities and will be featured in the Municipal Estimates section of the OSBM Demographics website; to view go to [www.osbm.nc.gov/facts-figures/demographics](http://www.osbm.nc.gov/facts-figures/demographics).

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Pinehurst ,Moore County

July 1, 2016 Certified Population Estimate: 16,452

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If you have questions or comments concerning this information, wish help in interpreting the estimates, or would like clarification of the methods used in preparing the estimates, please contact me (20320 Mail Service Center, Raleigh, NC, 27699-0320. Telephone 919-807-4756, [michael.cline@osbm.nc.gov](mailto:michael.cline@osbm.nc.gov))

**DEADLINE FOR REVIEW: September 10, 2017**

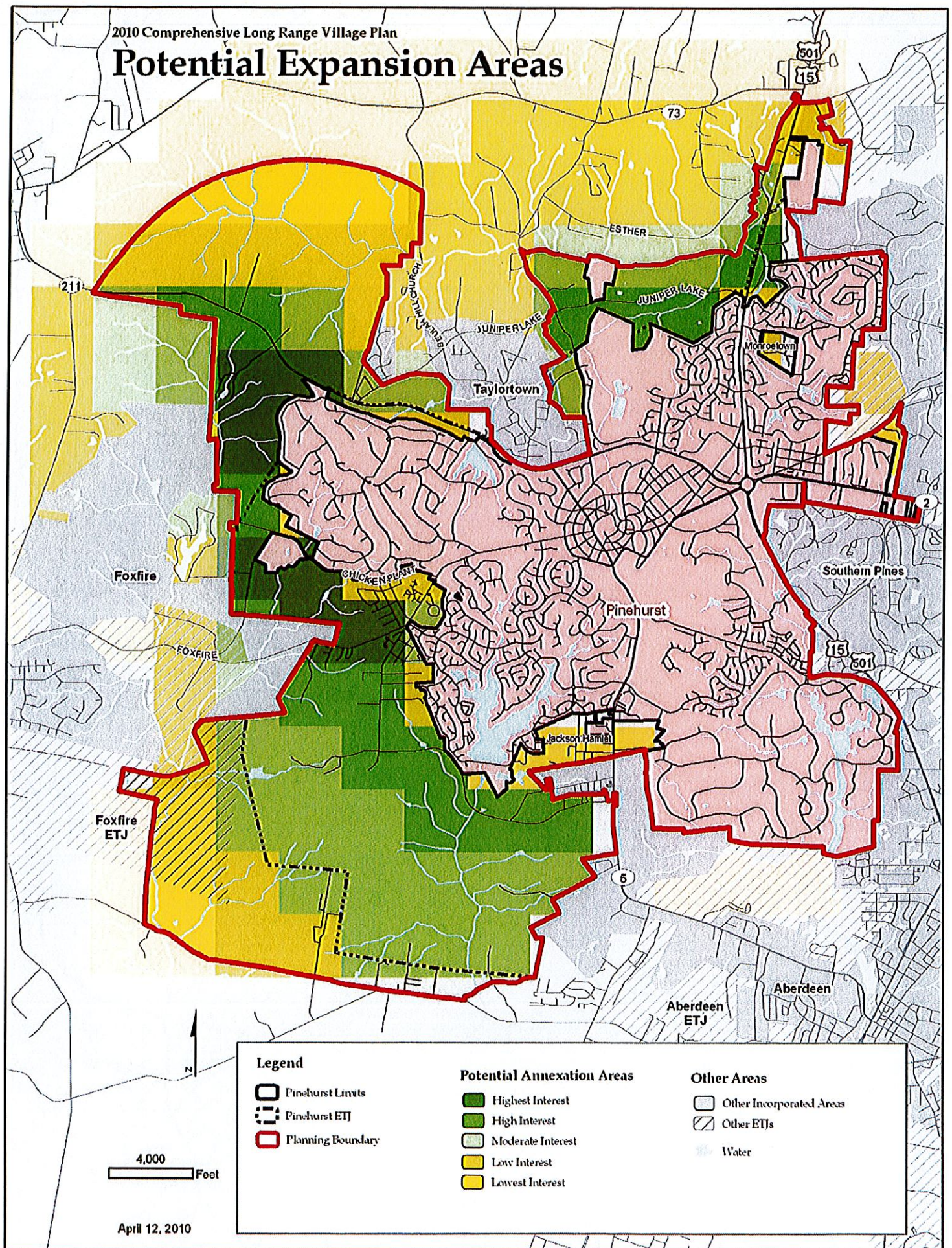
Mailing address:  
20320 Mail Service Center  
Raleigh, NC 27699-0320

[www.osbm.state.nc.us](http://www.osbm.state.nc.us)  
919-807-4700 \*\* FAX: 919-733-0640  
An EEO/AA Employer

Office location:  
5200 Administration Building  
116 West Jones Street



# Potential Expansion Areas







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## PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

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**To:** Mayor Fiorillo and Village Council

**From:** Will Deaton, Director of Planning and Inspections

**Cc:** Natalie Hawkins, Assistant Village Manager

**Date:** July 24, 2018

**Subject:** Consider adoption of a resolution requesting extension of the Village's extraterritorial jurisdiction (ETJ)

**Overview of Municipal Authority to extend ETJ:** North Carolina General Statute (NCGS) 160A-30 authorizes North Carolina municipalities to extend their extraterritorial jurisdiction (ETJ). The maximum size of an ETJ request is contingent upon the population of the municipality according to the state's annual official estimates of municipal population. The latest official Pinehurst population estimate from the North Carolina Office of State Budget and Management is 16,452 as of July 1, 2016. NCGS 160A-30 authorizes the Village to extend its extraterritorial jurisdiction up to two miles based on this population estimate with the approval of the Moore County Board of Commissioners.

<b>Municipal Population</b>	<b>Maximum ETJ Area</b>
Up to 10,000	1 mile
10,000 to 25,000	2 miles
Over 25,000	3 miles

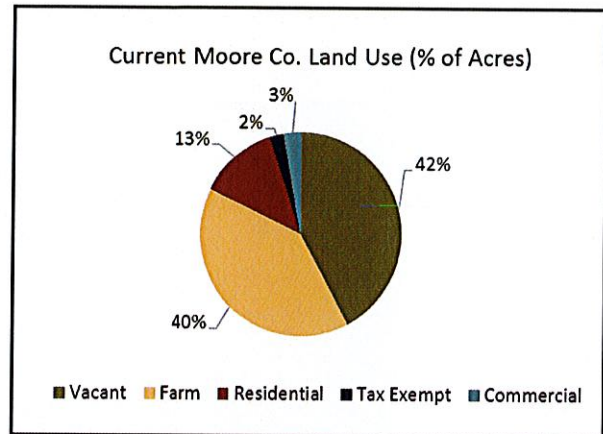
Additionally, the ETJ limits are a measured distance from the principal corporate limits, excluding satellite areas.

When seeking ETJ, if the county has zoning and subdivision ordinances as well as housing and building codes or if the ETJ is more than one mile, the municipality must secure approval from the board of county commissioners.

**Request and Justification:** The Village of Pinehurst is requesting permission from Moore County to extend its extraterritorial jurisdiction (ETJ). This request in its entirety is depicted geographically in Attachment A to Resolution 18-16. In most cases, the boundaries of the extension areas do not split individual parcels (except where the parcel is already split by an intervening roadway or the two-mile maximum ETJ boundary) or subdivisions (as defined by the NCGS). Furthermore, all of the extension area requested is located in the potential expansion areas identified in the 2010 Comprehensive Long Range Village Plan.

The area of request is along the northern and western edges of Pinehurst along the corridors of NC 211, US 15-501, along the southern portion of Esther Road and Hardee Branch Road and into undeveloped areas in Moore County between the Village of Pinehurst and Taylortown. This area extends from areas just east of 15-501 to the western limits of the two-mile maximum extension based on our current corporate limits.

The table below shows a summary of the properties that are included in the ETJ expansion area requested and shown in Attachment A to Resolution 18-16:



Current Moore Co. Land Use	Number of Parcels	Number of Acres	Land Value	Building Value	Total Value
Apartments	1	4.58	\$146,560	\$1,143,960	\$1,290,520
Commercial	33	96.60	\$3,638,280	\$12,057,420	\$15,695,700
Tax Exempt	19	133.993	\$2,391,920	\$34,828,570	\$37,220,490
Farm	36	1,921.58	\$9,142,880	\$3,705,000	\$12,847,880
Residential	315	631.16	\$7,361,880	\$25,158,280	\$32,520,160
Utilities	2	35.88	\$303,280	\$16,080	\$319,360
Vacant	301	2,026.32	\$12,503,450	\$0	\$12,503,450
<b>Total</b>	<b>707</b>	<b>4,850.12</b>	<b>\$35,488,250</b>	<b>\$76,909,310</b>	<b>\$112,397,560</b>

Over the last few months, the Village Council has reviewed various alternative ETJ expansion areas during Council work sessions. The ETJ expansion area requested represents the desired area indicated by the Village Council in the July 10, 2018 work session.

Growth in areas near the Village can have a number of effects, such as:

- Changing the character of neighborhoods,
- Increasing the demand for services,
- Impacting traffic patterns, and
- Affecting surrounding property values.

With additional ETJ authority, the Village can help ensure development patterns in areas near the corporate limits are consistent with development patterns occurring inside the municipal limits and



minimize any potential negative impacts caused by that development. ETJ authority will also help the Village plan for the long term service needs of property owners in the ETJ as development occurs.

The Village's 2010 Long-Range Comprehensive Plan states, "Pinehurst's character is affected by growth in areas outside of the current corporate limits. If Pinehurst is to preserve and enhance its character and ambience, we must take a larger view of development activities going on in the region and participate in ways that will help protect our interests and Pinehurst's legacy." Over the long term, it is in the Village's best interest to have influence on the nature of this development because Pinehurst residents will be subjected to its impacts (e.g. traffic, etc.). By extending the ETJ to the extent allowed by law and annexation agreements, the Village will be better able to protect Pinehurst's character and guide development in accordance with the Long-Range Comprehensive Plan.

Requiring future growth near Pinehurst municipal borders to be developed according to the Village's land use regulations should result in more consistent development with the character of Pinehurst, increased property values and more efficient delivery of local government services in the long term.

**Differences between ETJ & Annexation:** ETJ expansion is not an annexation and simply means that included properties will be governed by the Pinehurst Development Ordinance. This means persons in the ETJ who want to rezone a parcel, develop a subdivision, construct a building, or make an addition to an existing home would come to the Village planning and inspections departments to obtain permits, rather than Moore County offices.

The chart below shows a comparison and contrast of ETJ and annexed areas:

<b>Extraterritorial Jurisdiction (ETJ) Expansion</b>	<b>Annexed Areas</b>
Citizen of the County	Citizen of the Village and County
County taxes	Village and County taxes
Immediately adjacent to corporate limits	Adjacent or satellite
Maximum size of ETJ based upon population	No size limitation
Initiated by Village; submitted to County for approval; public hearing held by Village Council to adopt ordinance and set ETJ boundary	Initiated by all property owners as described in petition; submitted to Council; public hearing held to adopt annexation ordinance
ETJ is static; it does not change after adoption	Annexation is dynamic; Village limits change upon approval of annexation requests
May serve on Planning and Zoning Board & Board of Adjustment as an ETJ member	May serve on Village Council or as an in-town member on a Village board or committee
Vote in county, state, and federal elections	Vote in municipal, county, state, & federal elections
Village land use ordinances apply	All Village ordinances apply
Except for land use, planning, and inspections; services such as law enforcement and animal control are through the County	Citizens of the Village may receive police service, and solid waste service
Public roads maintained by the State of NC	Public roads maintained by the Village
Roads within new developments remain private and must be maintained by property owners	Roads within new developments may be dedicated to the Village; these roads become the responsibility of the Village to maintain and are eligible for state Powell Bill funding

**Financial Impact of ETJ Expansion on the Village:** As described in the preceding table, ETJ expansion will not impact the Village's tax base as properties in the ETJ are not subject to municipal property taxes. However, there will be an impact on Village staff that includes additional staff responsibilities. Specific departments primarily impacted by the ETJ expansion include the following:

Planning & Inspections – Planning staff will be required to review all development and apply land use ordinances to the ETJ expansion area; Building inspectors will be required to review all building plans and inspect all development in the ETJ expansion area; Code enforcement staff will be required to enforce various sections of the Pinehurst Development Ordinance in the ETJ expansion area

Fire – Fire department staff will be required to review all commercial development plans and conduct state-mandated fire inspections for all required properties located in the ETJ expansion area

Based on the size and rate of development in the ETJ expansion area, additional staff in the Planning & Inspections and Fire Departments may be needed to accommodate this additional workload. What potential additional workforce capacity is required will need to be evaluated by staff prior to any Council action to expand the ETJ.

The Village will be able to recover some Planning and Inspection costs through planning and inspection fees for development in the ETJ expansion area. Building inspection fees are intended to cover the full cost of building inspection services. Code enforcement and fire inspection costs are funded by the Village's property tax revenues.

**Recommended Council Action:** Based on the information contained in this report and on previous Council discussions on this matter, staff recommends the Village Council adopt Resolution 18-16 and authorize Village staff to immediately forward the ETJ expansion request and other relevant documents to the Moore County Board of Commissioners.

**RESOLUTION #18-16:**

**A RESOLUTION REQUESTING AN EXTENSION OF THE VILLAGE OF  
PINEHURST EXTRATERRITORIAL JURISDICTION (ETJ)**

**THAT WHEREAS,** North Carolina General Statute (NCGS) 160A-30 authorizes North Carolina municipalities to extend their extraterritorial jurisdiction (ETJ); and

**WHEREAS,** the Village has annexation agreements in effect with neighboring municipalities of Carthage, Foxfire, and Southern Pines that delineate areas of potential future expansion that are likely to be developed at urban and suburban densities; and

**WHEREAS,** the Village's latest official population estimate from the North Carolina Office of State Budget and Management is 16,452 as of July 1, 2016; and

**WHEREAS,** NCGS 160A-30 authorizes the Village to extend its extraterritorial jurisdiction up to two miles based on this population estimate with the approval of the Moore County Board of Commissioners; and

**WHEREAS,** the area requested for extraterritorial jurisdiction expansion is within the area designated in the Village of Pinehurst 2010 Long-Range Comprehensive Plan as an area of potential expansion; and

**WHEREAS,** the 1985 Village of Pinehurst Official Zoning Map included a portion of the expansion area requested located north of Highway NC211 in the Village's extraterritorial jurisdiction; and

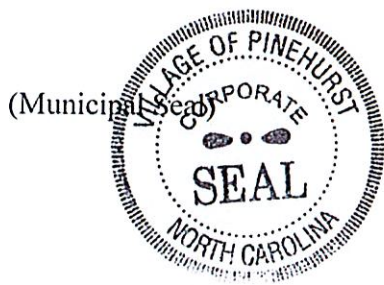
**WHEREAS,** the Village Council has deemed it to be in the best interest of the Village of Pinehurst to extend its extraterritorial jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 24<sup>th</sup> day of July, 2018, as follows:

**SECTION 1.** The Village Council hereby requests the Moore County Board of Commissioners to authorize the extension of the Village of Pinehurst extraterritorial jurisdiction as shown on the map in Attachment A, dated July 24, 2018.

**SECTION 2.** The Mayor or her designee is authorized to submit an Extra-Territorial Jurisdiction (ETJ) Expansion Application to the Moore County Board of Commissioners.

**THIS RESOLUTION** is passed and adopted this 24<sup>th</sup> day of July, 2018.



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: Nancy Roy Fiorillo  
Nancy Roy Fiorillo, Mayor

Attest:

Lauren M. Craig  
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman  
Michael J. Newman, Village Attorney



# Attachment A - Resolution 18-16

